

In the Claims

Please maintain claim 11 as originally presented:

11. A method for using a computer to facilitate a transaction between a seller and at least one buyer, comprising:
- receiving at the computer a binding offer to sell an item which includes a binding sale price;
 - outputting the binding offer to sell to a plurality of potential buyers; and
 - receiving acceptance of said binding offer to sell said item from at least one buyer, said buyer tendering acceptance by providing payment information.

Please cancel claims 13 and 21-80 without prejudice or disclaimer.

Please amend claims 12 and 14-20 as follows:

- C1
12. (Amended) The method of claim 11 further comprising:
- rejecting another [blocking] acceptance of the [said] binding offer [to sell] by a second buyer while [said computer is receiving said] acceptance from the [said] first buyer is pending.

13. (Canceled)

- C2
cont
14. (Amended) The method of claim 11 [further comprising:
- said buyer tendering acceptance by providing payment information that identifies an account used in conjunction with said computer that facilitates transactions]
 - wherein the received payment information comprises information identifying an account maintained by or on behalf of an entity operating the computer.

15. (Amended) The method of claim 11 [further comprising:
said buyer tendering acceptance by providing] wherein the received payment information
[that] identifies a credit card account [payment information].
16. (Amended) The method of claim 11 further comprising:
notifying the seller of the [said] acceptance of the [said] binding offer to sell the [said]
item.
17. (Amended) The method of claim 16 further comprising:
[requiring delivery of said item from said seller to said buyer by] withholding [said]
payment [information] from the [said] seller until delivery to the buyer is assured.
18. (Amended) The method of claim 16 further comprising:
processing the [said] payment information to collect funds for the [said] item;
deducting a predetermined commission for [said] sale of the [said] item [for sale]; and
transferring a [the] remainder of the [said] funds to the [said] seller as payment for the
[said] item [for sale].
19. (Amended) The method of claim 16 further comprising:
processing the [said] payment information to collect funds in payment for the [said] item;
depositing the [said] funds into an escrow account; and
[requiring said seller to deliver said item for sale to said buyer by] withholding payment
of the [said] funds in the [said] escrow account to the [said] seller until delivery to the buyer is
assured.
20. (Amended) The method of claim [claims] 11 further comprising:

C2
Cont

C2
cont
requiring performance by the [said] seller of [the] terms and conditions associated with
the [of said] binding offer to sell [said item] before providing payment to the [said] seller [with
said payment information].

[Claims ~~21-80~~ have been canceled]

Please add claims ~~81-140~~ as follows:

--81. (New) A method for using a computer system to facilitate a transaction between a seller and at least one buyer, the method performed by the computer system comprising:

presenting to a plurality of potential buyers a binding offer to sell an item, the presented binding offer to sell including at least a binding offer price; and

receiving from at least one buyer a binding acceptance of the binding offer, the received binding acceptance including payment information sufficient to authorize payment of the offer price to a third-party.

C3
cont
82. (New) The method of claim 81 wherein the payment information comprises one or more of the following: credit card information, Electronic Funds Transfer information, debit account information, and e-money information.

83. (New) The method of claim 81 wherein the payment information sufficient to enable payment to the third-party comprises at least an account identifier, the possession of which provides authorization to debit the identified account by a predetermined amount.

84. (New) The method of claim 81 further comprising using the received payment information to enable a transaction fee to be paid to the third-party.

85. (New) The method of claim 84 wherein the transaction fee is independent of the binding offer price.

86. (New) The method of claim 84 wherein the transaction fee is related to the binding offer price.

87. (New) The method of claim 86 wherein the transaction fee is a percentage of the binding offer price.

88. (New) The method of claim 81 wherein the third-party is an entity by whom, or on whose behalf, the computer system is operated.

89. (New) The method of claim 81 wherein the third-party is independent of the seller.

90. (New) The method of claim 81 further comprising receiving, by the third party, payment from the buyer using the received payment information.

91. (New) The method of claim 90 further comprising providing payment from the third-party to the seller.

92. (New) The method of claim 81 further comprising charging the seller a transaction fee.

93. (New) The method of claim 81 further comprising keeping the buyer's received payment information confidential from the seller.

94. (New) The method of claim 81 further comprising selectively allowing the buyer to take delivery of the item or to post the item for re-sale.

13
cont

95. (New) The method of claim 94 wherein, if the buyer elects to post the item for re-sale, the third-party maintains possession of the item pending the re-sale.

96. (New) The method of claim 94 wherein posting the item for re-sale comprises offering the item for auction.

97. (New) The method of claim 94 wherein posting the item for re-sale comprises making another binding offer to sell the item.

98. (New) The method of claim 81 further comprising allowing the buyer to post the item for re-sale or auction without taking delivery of the item.

C3
Cont
99. (New) The method of claim 98 further comprising receiving from the buyer a new offer price or a reserve price.

100. (New) The method of claim 98 further comprising posting the item for re-sale or auction.

101. (New) The method of claim 81 further comprising, prior to presenting the binding offer to the plurality of potential buyers, receiving the binding offer from the seller.

102. (New) The method of claim 81 further comprising, prior to presenting the binding offer to the plurality of potential buyers, receiving information from the seller descriptive of the item.

103. (New) The method of claim 81 further comprising, prior to presenting the binding offer to the plurality of potential buyers, receiving from the seller an identifier associated with the item for sale.

104. (New) The method of claim 103 further comprising using the received identifier as an index into a database to retrieve a data record descriptive of the item.

105. (New) The method of claim 104 wherein the data record was previously created based on a prior transaction.

106. (New) The method of claim 103 wherein the database was developed in a first instance by an entity independent of the third-party.

107. (New) The method of claim 103 wherein the database is maintained by the third-party based on transactions facilitated by the computer system.

108. (New) A method for using a computer system to facilitate a transaction between a seller and at least one buyer, the method performed by the computer system comprising:

presenting to a plurality of potential buyers a binding offer to sell an item, the presented binding offer to sell including at least a binding offer price;

receiving from at least one buyer a binding acceptance of the binding offer, the received binding acceptance including payment information sufficient to authorize payment of the offer price to a third-party; and

receiving payment for the item from the buyer by the third-party and making payment for the item from the third-party to the seller while maintaining the buyer's payment information in confidence from the seller.

109. (New) The method of claim 108 wherein the third-party comprises a trusted intermediary.

03
Cont

110. (New) The method of claim 108 wherein the third-party is independent of the buyer and of the seller.

111. (New) The method of claim 108 further comprising charging by the third-party a transaction fee for handling the sale of the item.

112. (New) The method of claim 111 wherein the transaction fee is charged to the seller.

113. (New) The method of claim 111 wherein the transaction fee is independent of the offer price.

114. (New) The method of claim 111 wherein the transaction fee is related to the offer price.

115. (New) The method of claim 114 wherein the transaction fee is a percentage of the sales price.

116. (New) The method of claim 108 further comprising allowing the buyer to post the item for re-sale or auction without taking delivery of the item.

117. (New) The method of claim 108 further comprising, prior to presenting the binding offer to the plurality of potential buyers, receiving the binding offer from the seller.

118. (New) A method for using a computer system to facilitate a transaction between a seller and at least one buyer, the method performed by the computer system comprising:

presenting to a plurality of potential buyers a binding offer to sell an item, the presented binding offer to sell including at least a binding offer price;

C3
Cont

receiving from at least one buyer a binding acceptance of the binding offer, the received binding acceptance including payment information sufficient to authorize payment of the offer price to a third-party; and

allowing the buyer to post the item for re-sale or auction without taking delivery of the item.

119. (New) A method for using a computer system to facilitate a transaction between a seller and at least one buyer, the method performed by the computer system comprising:

presenting to a plurality of potential buyers a binding offer to sell an item, the presented binding offer to sell including at least a binding offer price; and

receiving from at least one buyer a binding counteroffer for the item, the binding counteroffer including at least a binding counteroffer price for the item, the received binding counteroffer including payment information sufficient to authorize payment of the counteroffer price.

120. (New) The method of claim 119 wherein the binding counteroffer is subject to an expiration date.

121. (New) The method of claim 120 wherein the buyer specifies the expiration date.

122. (New) The method of claim 119 wherein the buyer's counteroffer is received by a third-party which notifies the seller of the counteroffer's existence.

123. (New) The method of claim 119 wherein the seller may elect to accept or reject the binding counteroffer.

13
cont

124. (New) The method of claim 119 wherein the computer is operated by or on behalf of a third-party that is independent of the seller and the buyer.

125. (New) The method of claim 124 wherein the third-party comprises a trusted intermediary.

126. (New) The method of claim 124 wherein the third-party maintains the buyer's payment information in confidence from the seller.

127. (New) The method of claim 119, if the seller accepts the buyer's counteroffer, further comprising making payment of the counteroffer price from the buyer to the seller.

C3
Cont
128. (New) The method of claim 127 wherein payment of the counteroffer price is made directly from the buyer to the seller.

129. (New) The method of claim 127 wherein payment of the counteroffer price is made indirectly from the buyer to the seller through a third-party.

130. (New) A method for using a computer system to facilitate offering items for sale in an electronic commerce exchange, the method performed by the computer system comprising:

receiving from a seller an identifier associated with an item that the seller is offering for sale;

accessing a database using the received identifier to retrieve a data record descriptive of the item; and

presenting to a plurality of potential buyers a description of the item for sale based on the retrieved data record.

131. (New) The method of claim 130 wherein presenting the description of the item comprises presenting to the plurality of potential buyers a binding offer to sell the item, the presented binding offer to sell including at least a binding offer price.

132. (New) The method of claim 131 further comprising receiving from at least one buyer a binding acceptance of the binding offer, the received binding acceptance including payment information sufficient to authorize payment of the offer price to a third-party.

133. (New) The method of claim 130 wherein the data record was previously created based on a prior transaction.

134. (New) The method of claim 130 wherein the database was developed in a first instance by an entity independent of a third-party by whom, or on whose behalf, the computer system is operated.

135. (New) The method of claim 130 wherein the database is maintained by a third-party based on transactions facilitated by the computer system, the computer system being operated by, or on behalf of, the third-party.

136. (New) A system to facilitate offering items for sale in an electronic commerce exchange, the system comprising one or more computer systems connected to a network and programmed to perform the following:

receive from a seller an identifier associated with an item that the seller is offering for sale;

access a database using the received identifier to retrieve a data record descriptive of the item; and

13
Cont

present to a plurality of potential buyers a description of the item for sale based on the retrieved data record.

137. (New) A system for facilitating a transaction between a seller and at least one buyer, the system comprising one or more computer systems connected to a network and programmed to perform the following:

present to a plurality of potential buyers a binding offer to sell an item, the presented binding offer to sell including at least a binding offer price; and

receive from at least one buyer a binding acceptance of the binding offer, the received binding acceptance including payment information sufficient to authorize payment of the offer price to a third-party.

138. (New) The system of claim 137 wherein the one or more computer systems are further programmed to receive payment for the item from the buyer by the third-party and make payment for the item from the third-party to the seller while maintaining the buyer's payment information in confidence from the seller.

139. (New) The system of claim 137 wherein the one or more computer systems are further programmed to allow the buyer to post the item for re-sale or auction without taking delivery of the item.

140. (New) A system for facilitating a transaction between a seller and at least one buyer, the system comprising one or more computer systems connected to a network and programmed to perform the following:

present to a plurality of potential buyers a binding offer to sell an item, the presented binding offer to sell including at least a binding offer price; and

13
Cont

C2
could receive from at least one buyer a binding counteroffer for the item, the binding counteroffer including at least a binding counteroffer price for the item, the received binding counteroffer including payment information sufficient to authorize payment of the counteroffer price.
